

with another in a grocery firm, whose debts averaged an amount practically equal to its stock of goods, and where he transferred to his wife all his property, which was worth several thousand dollars, except his interest in the firm, and the evidence was conflicting as to his good faith toward future creditors of the firm in making such transfer, and as to the consideration therefor: Held, that the court properly submitted these questions to the jury, and that their verdict in favor of the execution creditors, when approved by the trial court, will not be disturbed by the Appellate court.

4. Whether or not the debtor was a partner with another in the ownership of the property in controversy being a question of fact, and the evidence as to the same being conflicting: Held, that the verdict of the jury, after being approved by the trial court, is conclusive in this court as to the existence of the alleged partnership.

Attest: W. A. AYRES, Clerk.  
[Seal.]

Kansas Court of Appeals, Southern Department, Central Division.

No. 237.

C. Schaum and E. W. Campbell, partners as Schaum & Campbell, plaintiffs in error,

vs.  
T. G. Watkins and J. G. Green, partners as Watkins & Green, defendants in error.

Error from Butler County.

AFFIRMED.

1. Where the motion for a new trial does not contain any reference to the rulings of the court in respect to the admission or exclusion of evidence in the trial of the case, the Appellate court will disregard

assignments of error based on such rulings.

2. Where the motion for a new trial alleges error in the giving of instructions and the record fails to show that plaintiffs in error excepted to any of the instructions given, such assignment of error cannot be considered by a reviewing court.

Attest: W. A. AYRES, Clerk.  
[Seal.]

Kansas Court of Appeals, Southern Department, Central Division.

No. 261.

W. H. Voils, et al., plaintiffs in error,

vs.

R. F. Battin, defendant in error.

Error from Sumner District Court.

AFFIRMED.

The opinion was delivered by Schoonover, J.

"Annual crops which are the product of industry and care, sown by the owner of the soil, are, while growing and immature, personal property, subject to attachment and sale for the debts of the owner." (Polley v. Johnson, 52 Kas. 478.)

Attest: W. A. AYRES, Clerk.  
[Seal.]

Kansas Court of Appeals, Southern Department, Central Division.

I, W. A. Ayres, Clerk of the Kansas Court of Appeals, Southern Department, Central Division, do hereby certify that the foregoing are true, full and correct copies of the syllabi in the decisions in the above entitled cases, as the originals appear on file in my office.

Witness my hand and the seal of said

court at my office, Wichita, Kansas, this 24th day of November, A. D. 1897.

W. A. AYRES,  
Clerk of Kansas Court of Appeals, Southern Department, Central Division.

(First published December 1, 1897.)

Notice to Holders of Bonds.

In accordance with the directions of an act relating to redemption of bonds issued to railroad companies, which took effect March 15, 1887, I hereby give notice that the county of Riley, State of Kansas, will on the 9th day of January, 1898, at the fiscal agency of the State of Kansas in the city of New York, State of New York, redeem the following described bonds issued by the said county of Riley, to-wit: Numbers from 1 to 100, inclusive of numbers 1 and 100, issued January 2, 1888, in aid of the Chicago, Kansas & Nebraska Railway Company, each number being itself a bond for \$1,000.

Holders of said bonds are hereby notified that on the 14th day of February, 1898, said bonds will cease to bear interest, and they are hereby notified to present same at the said fiscal agency of the State of Kansas hereinafter mentioned for redemption.  
J. W. LOWDERMILK,  
County Treasurer of Riley County, Kansas.  
Manhattan, November 26, 1897.

(First published November 17, 1897.)

Notice to Holders of Bonds.

In accordance with the directions of an act relating to redemption of bonds issued to railroad companies, which took effect March 15, 1887, I hereby give notice that the county of Dickinson, State of Kansas, will on the 15th day of January, 1898, at the fiscal agency of the State of Kansas in the city of New York, State of New York, redeem the following described bonds issued by the said county of Dickinson, to-wit: Numbers from 1 to 115, inclusive of numbers 1 and 115, issued July 1, 1887, in aid of the Chicago,

Kansas & Western Railway Company; and numbers 1 to 100, inclusive of numbers 1 and 100, issued June 1, 1887, in aid of the Chicago, Kansas & Nebraska Railway Company; and numbers 117 to 170, inclusive of numbers 117 and 170, issued November 1, 1887, in aid of the Chicago, Kansas & Western Railway Company, each number being itself a bond for \$1,000.

Holders of said bonds are hereby notified that on the 21st day of January, 1898, said bonds will cease to bear interest, and they are hereby notified to present same at the said fiscal agency of the State of Kansas, hereinafter mentioned, for redemption.  
C. H. PATTERSON,  
County Treasurer Dickinson County, Kansas.  
Abilene, Kas., November 9, 1897.

(First publication December 1, 1897.)

Publication Notice.

In the District court of Shawnee county, Kansas.

H. L. Volkmer, Plaintiff,  
vs.  
Louisa T. Higgins, Henry B. Higgins and Nannie C. Martin, Defendants.

No. 19140.

To Louisa T. Higgins and Henry B. Higgins:

You will take notice that suit has been commenced against you and petition filed in the above entitled action in the District court of said county and State, and unless you answer said petition on or before the 15th day of January, 1898, said petition will be taken as true and judgment rendered against you for the sum of \$2500, with interest from the 1st day of January, 1896, at 7 per cent. per annum, and foreclosing the mortgage executed by you to secure said debt on lots 617, 619, 621 and 623 on Fillmore street in Martin & Dennis' sub-division of the N. 100 acres of the S. E. 1/4 of Sec. 1, Twp. 13, R. 16 in said county and State, and ordering said property sold, and excluding all said defendants from any right, title or interest in or to said premises.

WM. R. HAZEN, Attorney for Plaintiff.  
Attest: E. M. COCKRILL,  
[Seal.] Clerk District Court.

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